

INSTRUCTIONS TO CONTRACTORS – APRIL 2009

Questions

Questions concerning the RFQ must be submitted via e-mail to the Contract Specialist, Tim Smith, at timothy.g.smith@dhs.gov than **6:00pm on 23 April 2009**. Contractors shall cite the section, paragraph, and page number of the SOW that their question pertains to. Answers will be provided to all prospective contractors, giving due regard to the proper protection of proprietary information. ICE recommends that contractors ensure that questions are written to enable a clear understanding as to the contractor's issues or concerns with the referenced paragraph. Statements expressing opinions, sentiments or conjectures are not considered valid inquiries or comments for this purpose and will not receive a response from ICE. Further, contractors are reminded that ICE will not address hypothetical questions aimed toward receiving a potential evaluation decision.

General Quotation Preparation Instructions

Quotations shall be received by **14 May 2009** no later than **3:00pm** local time. The original copy of the quotation shall be submitted to the Contract Specialist, Tim Smith, via email at timothy.g.smith@dhs.gov, with a copy to the Contracting Officer, Carmen Rios, at carmen.rios1@dhs.gov. No additional copies are necessary. Facsimile quotations are not permitted and will be disregarded if received.

The quotation shall clearly demonstrate the contractor's understanding of the overall and specific requirements of the SOW and convey their capabilities for transforming their understanding into accomplishments for performing the contract.

Information requested herein must be furnished in writing in compliance with the instructions. The information requested and the manner of submittal is essential to permit prompt evaluation of all quotations on a fair and uniform basis. Simple statements of compliance without the detailed description of how compliance will be met may not be considered sufficient evidence that the proposed services can technically meet the requirements of this RFQ. Accordingly, any quotation in which material information requested is not furnished, or where indirect or incomplete answers or information are provided may be considered not acceptable or determined to be outside the competitive range.

Any changes to the quotation by the contractor shall be accomplished by an amended page, with the changes clearly marked. The contractor shall include the date of the amendment on the lower right hand edge of the page. Changes to the quotation will only be allowed **prior to the due date** for quotations.

Contractors whose quotations are no longer being considered for award or whose quotations were not selected for award will be so notified. Such notification will state in general terms the basis of non-selection. Unsuccessful contractors may request, in writing, a post-award debriefing within 10 calendar days.

Quotations must be submitted in strict accordance with the instructions set forth herein. The government may consider any failure on the part of a contractor to comply with these instructions to be indicative of the type of conduct it can expect during contract performance.

Quotation preparation costs

The Government will not pay costs incurred by any contractor in the preparation and submission of a quotation in response to this RFQ. The Contracting Officer is the only person who can legally obligate the Government for the expenditure of public funds in connection with this procurement.

Quotation Content and Submission Instructions

Quotation Content

Contractors are cautioned to review the RFQ and ensure that the quotation submitted fully complies with any or all requirements of the RFQ. Each quotation shall clearly demonstrate that the contractor understands the

overall and specific technical requirements of the SOW. The contractor must provide the requested past performance and pricing information. Failure to address any or all requirements of the RFQ in the quotation may result in the quotation not being considered for award by the Government. Clarity and completeness of the quotation is of the utmost importance. The quotation must be written in a practical, clear and concise manner. It must use quantitative terms whenever possible and must avoid qualitative adjective to the maximum extent possible. Quotations must be legible, single-space, type-written (single-side), in a type size not smaller than eleven (11) point proportional, on paper not larger than eight-and-a half-by eleven inches.

The contractor's quotation must include four separate parts: Volume 1 - Technical; Volume II - Past Performance; Volume III – Pricing; and Volume IV – Small Business Subcontracting Plan (applies to large businesses only).

Volume 1 – Technical

This section shall be limited to **5 pages**, in addition to the documentation required in the SOW. The contractor shall describe the technical approach to providing the shotgun identified in Section B and the SOW. The technical approach should include:

Technical Acceptability: The contractor must provide 12 shotguns, which will undergo qualification testing to ensure that they meet or exceed the standards as stated in the SOW. All shotguns submitted for acceptance shall comply with all requirements listed in the SOW. NFFTU will perform the qualification testing on all shotguns submitted. All samples shall be submitted to: Immigration and Customs Enforcement, Amory Operations, Attn: Solicitation HSCCESS-09-Q-00001, 320 East Chestnut Avenue, Altoona, PA 16601. The samples must be received **no later than** the date and time quotations are due. **Contractors shall include a hard copy of their Volume 1 – Technical quotation with the samples. No other volumes shall be included with the samples.**

Basic compliance – Standard Duty and Marine Shotguns

Each vendor will submit samples of shotguns to fulfill the Government's requirements identified in the solicitation. Samples will be tested in accordance with the procedures identified in the Statement of Work. Each shotgun will first be inspected for Basic Compliance with the specifications (e.g. Quality System, Sample Size, Documentation, Supplemental Items, Action/Mechanism, Overall Length, Weight, Gauge, Finish, Safety, Barrel and Magazine). Shotguns that do not conform to the Basic Compliance requirements will be determined to be unacceptable and will not be evaluated further.

Major and Minor Performance Requirements – Standard Duty Shotguns

Standard Duty Shotguns that successfully complete Basic Compliance evaluation will be evaluated for compliance with Major and Minor performance requirements. Compliance with Major performance requirements will be evaluated in order of importance as follows:

1. Drop Test
2. Reliability
3. Durability
4. Parts Interchange
5. Sand and Dust
6. Low Temperature
7. High Temperature
8. Salt Water Immersion
9. Shot Pattern/Accuracy

Compliance with the Minor performance requirements shall also be evaluated in order of importance as follows:

1. Trigger

2. Sights
3. Stock/Forend
4. Sling Attachments

Major and Minor Performance Requirements – Marine Shotguns

Marine Shotguns that successful complete Basic Compliance evaluation will be evaluated for compliance with Major and Minor performance requirements. Compliance with Major performance requirements will be evaluated in order of importance as follows:

1. Drop Test
2. Reliability
3. Durability
4. Salt Fog
5. Parts Interchange
6. Sand and Dust
7. High Temperature
8. Low Temperature
9. Shot Pattern/Accuracy

Compliance with the Minor performance requirements shall also be evaluated in order of importance as follows:

1. Trigger
2. Sights
3. Stock/Forend
4. Sling Attachments

Evaluation Criteria for Technical

The Technical Factor assesses the contractor's technical acceptability for providing the shotguns described in the SOW. The following adjectival ratings will be used to evaluate the Technical Factor:

Rating	Symbol	Definition
Outstanding	O	The contractor demonstrates its ability to provide shotguns that <u>meet and significantly exceed</u> the requirements as stated in the SOW.
Good	G	The contractor demonstrates its ability to provide shotguns that <u>meet and exceed</u> the requirements as stated in the SOW.
Acceptable	A	The contractor demonstrates its ability to provide shotguns that <u>meet</u> the requirements as stated in the SOW.
Unacceptable	U	The contractor <u>does not</u> demonstrate its ability to provide shotguns that meet the requirements as stated in the SOW.

Volume II – Past Performance Information Submission Instructions:

This section shall be limited to **3 pages**. The vendor shall submit their demonstrated record, within the past three (3) years as confirmed by references (Federal, State, local government, and/or private), of successful past performance, including quality of services, compliance with **SOW** requirements, contract management, and customer satisfaction.

The Government will evaluate relevant past performance of each vendor. The vendor shall identify three (3) ongoing or successfully completed projects performed by the vendor or subcontractors that demonstrate recent and relevant past performance. Recent is defined as within the last three (3) years. Relevant is defined as work similar in scope, complexity, magnitude, and financial impact to client to the work identified in the **SOW**.

For ongoing projects, at least 50 percent of the contract funding for the period of performance must have been expended by the date of submission of the quotation.

Please include the following information:

- a) Project Title
- b) Description of the Project
- c) Contract/Task Order Number
- d) Contract/Task Order Amount
- e) Government Agency/Organization
- f) COTR's name, address, phone number and email address
- g) Contracting Officer's name, address, telephone number and email address
- h) Current status, e.g. completed and/or in progress, start and estimated completion dates
- i) Key personnel, please identify those individuals who worked on the relevant project and are also proposed for this effort

A brief narrative of why your firm believes this reference is relevant to the proposed task.

A past performance questionnaire is provided and attached herein (Attachment 3). The vendor shall forward this questionnaire to each of the references provided and request the response be submitted directly to the address specified for receipt of responses by the due date.

Evaluation Criteria for Past Performance

The Government will evaluate the relevance, breadth and quality of the vendor's past performance based on the past performance references provided in the vendor's submission and/or other information obtained from references provided by the vendor, as well as other relevant past performance information obtained from other sources known to the Government. The Government reserves the right to perform customer surveys only for those contracts that are deemed by the Government to be most relevant to this procurement. A vendor without a record of past performance or for whom information on relevant past performance is not available will be evaluated as neutral.

Rating Definitions for Past Performance

Rating	Definition
Neutral	A "Neutral" rating indicates a vendor without a record of past performance or for whom information on relevant past performance is not available.
Outstanding	The vendor's record of past performance, as applicable, specifically relates to and indicates that DHS can expect superior performance and customer satisfaction for this effort with very low risk.
Acceptable	The vendor's record of past performance, as applicable, specifically relates to and suggests that the DHS may expect satisfactory performance and customer satisfaction for this effort. The vendor's past performance record indicates some risk.
Marginal	The vendor's record of past performance, as applicable, suggests no prior experience and suggests that the Government may expect less than satisfactory performance and customer satisfaction for this effort. The vendor's performance record presents a high degree of risk.
Unacceptable	The vendor's record of past performance, as applicable, suggests that the Government may expect unsatisfactory performance and customer satisfaction for this effort. The vendor's performance record, as applicable, suggests a high degree of risk.

Volume III - Pricing

There is no page limitation for this section. The contractor must complete Section B of the RFQ.

The contractor shall submit a list of quantity price breaks for each item. The contractor shall prepare a price quotation that contains all information necessary to allow for a comprehensive evaluation of the prices proposed by the contractor. Pricing shall be valid for 120 days after the date that quotations are due.

Price Factor Evaluation

Price will be evaluated for price reasonableness. The Government expects to receive price competition through the submission of price quotes from multiple vendors. The Government will evaluate price quotations for award purposes by adding the total price for all options to the price for the base requirement. Evaluation of options does not obligate the Government to exercise the options.

Volume IV – Small Business Subcontracting Plan (applies to large business only)

There is no page limitation for this section. Contractors shall submit their subcontracting plan in accordance with clause 52.219-9 Small Business Subcontract Plan Alternate II (Oct 2001).

Evaluation Criteria for Small Business Subcontracting Plan

The Government will review the offeror's proposed Subcontracting Plan to evaluate how subcontracting opportunities for small, small disadvantaged, women-owned, HUBZone small businesses, veteran-owned, and service-disabled veteran-owned small businesses will be utilized, including the degree the subcontract approach includes meaningful goals to provide significant, and appropriate, opportunities for these noted socio-economic categories. The offeror's proposed subcontracting plan will be compared to the DHS small business goals to evaluate how well the proposal benefits the DHS goals. Please note that DHS, ICE has subcontracting goals of:

<i>Total Subcontracting Dollars</i>	
SB Subcontracts	40.0%
SDB Subcontracts	5.0%
WOSB Subcontracts	5.0%
HUBZone Subcontracts	3.0%
VOSB Subcontracts	3.0%
SDVOSB Subcontracts	3.0%

The Government will evaluate the Small Business Subcontracting Plan using the following adjectival ratings:

Rating	Symbol	Definition
Outstanding	O	The offeror's Small Business Subcontracting Plan, if implemented, would exceed the DHS Small Business goals with minimal or no risk. "Outstanding" indicates that the proposed plan contains significant strengths and few or no weaknesses.
Good	G	The offeror's Small Business Subcontracting Plan, if implemented, is expected to meet the DHS Small Business goals with low risk. "Good" indicates that the proposed plan contains a number of strengths, but also some weaknesses.
Marginal	M	The offeror's Small Business Subcontracting Plan, if implemented will not achieve the DHS Small Business goals. "Marginal" indicates that the proposed plan contains numerous significant weaknesses that outnumber a few strengths.

Basis of Award

ICE will perform a technical and past performance evaluation, based on the contractors' written Technical (Volume I), Past Performance (Volume II), Price (Volume III), and Small Business Subcontracting Plan (Volume IV) quotations to assess the best value to the Government. Comparing the differences in the value of the technical factors with the differences in the prices proposed will determine best value. In making this

comparison, the Government is more concerned with obtaining performance capability superiority rather than the lowest overall price. However, the Government will not make an award at a significantly higher overall price to achieve only slightly superior performance capabilities. The Government will assess the benefits of superior performance capability versus the added price. The degree of equality between contractors' quotations will be measured by the quantity, significance, and applicability of the superior features proposed, and not by the total scores achieved.

Award On Initial Quotations

The Government intends to award without discussions; however, the Contracting Officer reserves the right to hold discussions if required. Accordingly, each initial quotation should be submitted on the most favorable price and technical terms that the contractor can submit to the Government.

Evaluation Factors

The Government will evaluate each quotation using the following evaluation factors listed in order of importance:

Technical

Past Performance (includes relevance of experience and past performance quality)

Small Business Subcontracting Plan

Price

When non-price factors (technical, past performance, and small business subcontracting plan) are combined, they are significantly more important than price.